

Council on Educational Services for Exceptional Children
Meeting Minutes
March 7, 2012

Members	Present		Members	Absent
Stephen	Brechbiel		Melanie	Hester
Melvin	Diggs		Ester	High
Curtis	Garland	For Gloria Upperman	Tammy	Holland
Sheila	Knapp		Bryan	Holloway
Mary	LaCorte		Sally	Hunter
Karen	Madrone	For Lisa Phillips	Nicole	Jimerson
Ann	Maxwell		Cathy	Kea
Teresa	Mebane		Shary	Maskel
Patricia	Naylor		Jean	Preston
Linda	Nelson		Deborah	Whifield
Martin	Pharr			
Jana	Plemmons			
Jill	Scercy			
Vicki	Simmons			

Visitors

Sharon	Harris-Floyd	For Kathy Rhoades
Ben	King	
Brenda	Monforti	
Cheryl	Posner-Cahill	

DPI Staff /

Tish	Bynum
Mary	Jarrett
Nancy	Johnson
Kate	Neale
Mary	Watson
Ira	Wolfe

Welcome and Introductions

Jill Scercy, Vice Chairperson, called the meeting to order in the absence of Chairperson Nicole Jimerson. Members and guests were welcomed and introductions made.

Review of Agenda

The Council was instructed to review the agenda.

Approval of Minutes

The Council reviewed the December 14, 2011 meeting minutes. A motion was made and seconded to approve the meeting minutes without any edits.

Agency Update

Director Mary Watson thanked the Council for their service to the SBE.

The Conflict of Interest policy was briefly reviewed at the Council's last meeting. DPI staff attorney will present at the next meeting to clarify the policy.

NC submitted an ESEA flexibility waiver on February 29, 2012. A webinar regarding this matter was conducted in late January. The waiver requests that NC have staggered targets over multiple years instead of 100% targets every year. This is an item of great importance to students with disabilities. The Council will be informed of the status of the waiver request when it becomes available.

The Council provided valuable input for the State Performance Plan (SPP) / Annual Performance Report (APR). The SPP/APR was submitted February 1, 2012 to the US Dept. of Education, Office of Special Education Programs (OSEP). NC is waiting for OSEP's response and there will be a time for response/review/clarification. As a whole, NC is seeing growth progress for students with disabilities. Lea's reports, required by the IDEA, will be posted by June 1, 2012.

OSEP completed an onsite monitoring visit (audit) in November. The visit was a thorough audit of NC's general supervision model. This audit also had an added fiscal and results component. The EC Division just received the audit results excluding the fiscal component which will come under separate cover. For each item reviewed, findings were provided. Some of OSEP's questions were answered onsite during the audit. NC was cited for its significant disproportionality calculation. The calculation relates to LEAs being mandated to use 15% for Coordinated Early Intervening Services (CEIS). NC based the calculation on K-6, OSEP advised the calculation should be based on K-12. Ira Wolfe commented that NC does calculate for all age groups; K-12 to see what it looks like, K-6 to see impact with the younger grades. The federal regulations place emphasis on the early grades. Disproportionality encompasses placement and placement per disability categories; LRE placement; and discipline. NC actually began working on disproportionality prior to the IDEA federal regulations.

Transfer of residential schools to DPI – the residential schools are still working with Superintendent Barbria Bacon. DPI was mandated to close one school. Dr. Atkinson reported to the General Assembly in January that DPI was not going to close a school, but was consolidating the administration of Governor Morehead and Eastern NC School for the Deaf; the Governor Morehead campus will become a satellite program for existing Governor Morehead students; and that Wake County Schools will be leasing the Governor Morehead property.

As citizens, we are concerned about funding for students with disabilities. NC has not cut funding for students with disabilities. Please be aware of any upcoming possible cuts for students with disabilities and voice your concern.

The coteaching project with NC Virtual Public Schools (VPS) has been very successful. OCS students scored well utilizing NC VPS. The utilization of NC VPS for OCS students varies for each LEA because of funding, i.e. the LEA must pay for each VPS class. A NC special education teacher in VPS won the national VPS Teacher of the Year award and presented at the State Board of Education last week.

The EC Division focuses on building capacity across state in all areas of special education. Now there are Visual Impairment and Deaf/Hard of Hearing staff to assist LEAs across the state. These are resources that can come work with teachers of VI and/or D/HH students.

The EC Division has also increased staff in the area of Autism.

Based on areas of need discovered in preparing for the OSEP audit, the EC Division has developed a revised monitoring process. A pilot program is taking place this year and includes five LEAs and one charter school. In June or September, the EC Division will report back to the Council on the pilot program.

Statewide Data on Homeless Children

Karen Madrone, Assistant Program Specialist for the National Center for Homeless Education and Program Specialist for the NC Homeless Education Program, provided handouts from the National Center for Homeless Education and NC Homeless Education Program. Both programs are supported under the SERVECenter at UNC-Greensboro.

Both programs provide technical assistance, have a helpline, conduct webinars, have a listserv and provide informational and awareness materials to educators.

There are state and LEA representatives for homeless children. The numbers of homeless children is steadily increasing. NC currently has identified 21,300 (2009-2010 US ED, CSPR Data) homeless children. These children are hard to identify. Some students may be in the classroom but not tell anyone of their homelessness status.

Homeless children are considered children, who lack a fixed, regular and adequate nighttime residence, i.e.:

- Sharing the housing of others due to loss of housing, economic hardship or similar reason
- Living in motels, hotels, trailer parks (FEMA type), camping grounds due to lack of adequate alternative accommodations
- Living in emergency or transitional shelters
- Abandoned in hospitals
- Awaiting foster care placement
- Living in a public or private place not designed for humans to live
- Living in cars, parks, abandoned buildings, substandard housing, bus/train stations, etc.
- Migratory children living in any of the above circumstances

- Unaccompanied youth who are experiencing the above circumstances

Homeless children and youth have the right to enroll in school immediately, even if they do not have required documents, such as school or medical records, proof of residency, proof of guardianship, or other documents. If a student does not have immunizations, or immunization or medical records, the liaison must assist in obtaining them, and the student must be enrolled in the interim. The goal of the McKinney-Vento Act is to keep the child in the same school.

LEAs must provide homeless students with transportation to and from their school of origin, at a parent's or guardian's request (or at the liaison's request for unaccompanied youth). If the student's temporary residence and the school of origin are in the same LEA, that LEA must provide or arrange transportation. If the student is living outside of the school of origin's LEA, the LEA where the student is living and the school of origin's LEA must determine how to divide the responsibility and cost, or they must share the responsibility and cost equally. Transportation is not required after the child becomes permanently placed.

IDEA and the McKinney-Vento Act both apply equally. Both laws require:

- school personnel to find eligible students
- schools to provide a free appropriate public education
- school personnel to enroll student immediately

School supplies for homeless children can be paid for out of Title I funds.

ACT Assessment Update

Tammy Howard, Director of Accountability Services Division, informed the Council that ACT is a curriculum- and standards-based educational and career planning tool that assesses students' academic readiness for college. After a pilot year (2011-12), the ACT will become part of NC's school accountability program in 2012-13. This accountability model is designed to improve student learning outcomes, raise graduation rates and close achievement gaps. There will be Performance Indicators to let parents know the overall performance of students/schools; Progress Indicators to reflect the progress from one year to the next; and Growth Indicators reflecting the educational growth of each individual student.

ACT is administered to all 11th graders except students who participate in NCEXTEND1 and students who have previously met college readiness benchmarks on either the ACT or the SAT.

Students with disabilities may participate in the ACT with or without accommodations. Accommodations are approved by ACT for college reportable scores. If an accommodation is not approved, student may be provided a score but the score will not be college reportable.

DPI-DHHS MOA

There is an issue surrounding the provisions of a free and appropriate public education (FAPE) when a non-educational state agency makes a decision to place a child in a private psychiatric residential treatment facility, in- or out-of state. To ensure that a FAPE is provided, a Memorandum of Agreement was developed between DPI and the Dept. of Health and Human Services.

Currently, there are approximately 700 NC students in PRTFs. The educational services received by these students vary greatly. An educational day may be two hours for one student, six hours for another student. The educational component for these students is required by law.

The Interim Secretary of DHHS has concerns with the MOA that he addressed in a letter to Superintendent June Atkinson. Superintendent Atkinson is in the process of responding to the concerns. This is an ongoing issue. In the meantime, the agreement is NOT suspended.

Of the approximate 700 NC students in PRTFs, a large percentage are children identified under IDEA. IDEA mandates the provision of FAPE for these students when placed by a non-educational state agency, such as DHHS and DJJDP. A major concern is the cost of the general ed component.

Adjourn

A motion was made and seconded to adjourn the meeting.